

EXHIBIT A

Generated on: This page was generated by TSDR on 2017-05-01 12:30:50 EDT

Mark: UNICORN LATTE

UNICORN LATTE

US Serial Number: 87308906

Application Filing Date: Jan. 20, 2017

Filed as TEAS Plus: Yes

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Apr. 17, 2017

Mark Information

Mark Literal Elements: UNICORN LATTE

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Fruit juice; Fruit juices; Fruit juices and fruit drinks; Herbal juices; Vegetable juice; Vegetable juices; Vegetable-fruit juices

International Class(es): 032 - Primary Class

U.S Class(es): 045, 046, 048

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 01, 2016

Use in Commerce: Oct. 01, 2016

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Montauk Juice Factory

Owner Address: 12 South Etna Ave
Montauk, NEW YORK 11954
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: NEW YORK

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jason Foscolo

Attorney Primary Email Address: info@foodlawfirm.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: JASON FOSCOLO
JASON FOSCOLO PLLC
PO BOX 378
INFO@FOODLAWFIRM.COM
RED HOOK, NEW YORK 12571
UNITED STATES

Phone: 8005594628

Correspondent e-mail: info@foodlawfirm.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 17, 2017	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Apr. 17, 2017	NON-FINAL ACTION E-MAILED	6325
Apr. 17, 2017	NON-FINAL ACTION WRITTEN	78484
Apr. 17, 2017	ASSIGNED TO EXAMINER	78484
Jan. 26, 2017	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jan. 24, 2017	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: HOLTZ, ALLISON A

Law Office Assigned: LAW OFFICE 111

File Location

Current Location: TMO LAW OFFICE 111 - EXAMINING ATTORNEY ASSIGNED

Date in Location: Apr. 17, 2017

To: Montauk Juice Factory (info@foodlawfirm.com)
Subject: U.S. TRADEMARK APPLICATION NO. 87308906 - UNICORN LATTE - N/A
Sent: 4/17/2017 5:21:26 PM
Sent As: ECOM111@USPTO.GOV
Attachments:

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 87308906

MARK: UNICORN LATTE

87308906

CORRESPONDENT ADDRESS:

JASON FOSCOLO
JASON FOSCOLO PLLC
PO BOX 378
INFO@FOODLAWFIRM.COM
RED HOOK, NY 12571

CLICK HERE TO RESPOND TO THIS LETTER:

http://www.uspto.gov/trademarks/teas/response_forms.jsp

[VIEW YOUR APPLICATION FILE](#)

APPLICANT: Montauk Juice Factory

CORRESPONDENT'S REFERENCE/DOCKET NO :

N/A

CORRESPONDENT E-MAIL ADDRESS:

info@foodlawfirm.com

OFFICE ACTION

STRICT DEADLINE TO RESPOND TO THIS LETTER

TO AVOID ABANDONMENT OF APPLICANT'S TRADEMARK APPLICATION, THE USPTO MUST RECEIVE APPLICANT'S COMPLETE RESPONSE TO THIS LETTER **WITHIN 6 MONTHS** OF THE ISSUE/MAILING DATE BELOW. A RESPONSE TRANSMITTED THROUGH THE TRADEMARK ELECTRONIC APPLICATION SYSTEM (TEAS) MUST BE RECEIVED BEFORE MIDNIGHT **EASTERN TIME** OF THE LAST DAY OF THE RESPONSE PERIOD.

ISSUE/MAILING DATE: 4/17/2017

TEAS PLUS OR TEAS REDUCED FEE (TEAS RF) APPLICANTS – TO MAINTAIN LOWER FEE, ADDITIONAL REQUIREMENTS MUST BE MET, INCLUDING SUBMITTING DOCUMENTS ONLINE: Applicants who filed their application online using the lower-fee TEAS Plus or TEAS RF application form must (1) file certain documents online using TEAS, including responses to Office actions (see TMEP §§819.02(b), 820.02(b) for a complete list of these documents); (2) maintain a valid e-mail correspondence address; and (3) agree to receive correspondence from the USPTO by e-mail throughout the prosecution of the application. *See* 37 C.F.R. §§2.22(b), 2.23(b); TMEP §§819, 820. TEAS Plus or TEAS RF applicants who do not meet these requirements must submit an additional processing fee of \$125 per class of goods and/or services. 37 C.F.R. §§2.6(a)(1)(v), 2.22(c), 2.23(c); TMEP §§819.04, 820.04. However, in certain situations, TEAS Plus or TEAS RF applicants may respond to an Office action by authorizing an examiner's amendment by telephone or e-mail without incurring this additional fee.

The referenced application has been reviewed by the assigned trademark examining attorney.

No Conflicting Marks

The examining attorney has searched the Office records and has found no similar registered or pending mark which would bar registration under Trademark Act Section 2(d), 15 U.S.C. §1052(d). TMEP §704.02.

However, the applicant must address the following informality.

Disclaimer

Applicant must disclaim the word “LATTE” because it merely describes an ingredient, quality, characteristic, function, feature, purpose, or use of applicant’s goods and/or services, and thus is an unregistrable component of the mark. *See* 15 U.S.C. §§1052(e)(1), 1056(a); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012) (quoting *In re Oppedahl & Larson LLP*, 373 F.3d 1171, 1173, 71 USPQ2d 1370, 1371 (Fed. Cir. 2004)); TMEP §§1213, 1213.03(a).

The specimen of use identifies the goods as “lattes.” Therefore, the word is merely descriptive of the goods.

An applicant may not claim exclusive rights to terms that others may need to use to describe their goods and/or services in the marketplace. *See Dena Corp. v. Belvedere Int’l, Inc.*, 950 F.2d 1555, 1560, 21 USPQ2d 1047, 1051 (Fed. Cir. 1991); *In re Aug. Storck KG*, 218 USPQ 823, 825 (TTAB 1983). A disclaimer of unregistrable matter does not affect the appearance of the mark; that is, a disclaimer does not physically remove the disclaimed matter from the mark. *See Schwarzkopf v. John H. Breck, Inc.*, 340 F.2d 978, 978, 144 USPQ 433, 433 (C.C.P.A. 1965); TMEP §1213.

If applicant does not provide the required disclaimer, the USPTO may refuse to register the entire mark. *See In re Stereotaxis Inc.*, 429 F.3d 1039, 1040-41, 77 USPQ2d 1087, 1088-89 (Fed. Cir. 2005); TMEP §1213.01(b).

Applicant should submit a disclaimer in the following standardized format:

No claim is made to the exclusive right to use “LATTE” apart from the mark as shown.

For an overview of disclaimers and instructions on how to satisfy this disclaimer requirement online using the Trademark Electronic Application System (TEAS) form, please go to <http://www.uspto.gov/trademarks/law/disclaimer.jsp>.

Questions Regarding Office Action

If applicant has questions regarding this Office action, please telephone or e-mail the assigned trademark examining attorney. All relevant e-mail communications will be placed in the official application record; however, an e-mail communication will not be accepted as a response to this Office action and will not extend the deadline for filing a proper response. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05. Further, although the trademark examining attorney may provide additional explanation pertaining to the refusal(s) and/or requirement(s) in this Office action, the trademark examining attorney may not provide legal advice or statements about applicant’s rights. *See* TMEP §§705.02, 709.06.

/allison holtz/
Allison Holtz
Trademark Attorney
Law Office 111
allison.holtz@uspto.gov (preferred)
571.272.9383

TO RESPOND TO THIS LETTER: Go to http://www.uspto.gov/trademarks/teas/response_forms.jsp. Please wait 48-72 hours from the issue/mailling date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail TEAS@uspto.gov. For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

All informal e-mail communications relevant to this application will be placed in the official application record.

WHO MUST SIGN THE RESPONSE: It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS: Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

To: Montauk Juice Factory (info@foodlawfirm.com)
Subject: U.S. TRADEMARK APPLICATION NO. 87308906 - UNICORN LATTE - N/A
Sent: 4/17/2017 5:21:28 PM
Sent As: ECOM111@USPTO.GOV
Attachments:

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON **4/17/2017** FOR U.S. APPLICATION SERIAL NO. 87308906

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **4/17/2017** (*or sooner if specified in the Office action*). A response transmitted through the Trademark Electronic Application System (TEAS) must be received before midnight **Eastern Time** of the last day of the response period. For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the TEAS response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

*** User:aholtz ***

#	Total Marks	Dead Marks	Live Viewed Docs	Live Viewed Images	Status/ Search Duration	Search
01	1	0	1	1	0:01	87308906[SN]
02	165	0	165	157	0:02	*unicorn*[bi,ti] and live[lid]
03	119936	N/A	0	0	0:02	*lat*[bi,ti] and live[lid]
04	12	0	12	11	0:01	2 and 3

Session started 4/17/2017 5:06:32 PM

Session finished 4/17/2017 5:17:58 PM

Total search duration 0 minutes 6 seconds

Session duration 11 minutes 26 seconds

Default NEAR limit=1ADJ limit=1

Sent to TIGRS as Serial Number: 87308906

UNICORN LATTE



BROOKLYN

PLANT ALCHEMY BAR

High vibe drinks are what we do. We love coffee but these drinks give you an energizing alternative for when you want a boost of plant power. Using superfoods, herbs, roots and spices from ancient and traditional cultures mixed with non-dairy mylks and cold-pressed juices from Montauk Juice Factory, we created a menu of diverse, clean and plant-based potions to help awaken your senses, elevate your mind and enhance your greatest superpower: your intuition.

JUICE LATTES \$9 (12 oz)

Made using Montauk Juice Factory's best-selling concoctions.

BONFIRE CIDER LATTE

This Ayurvedic influenced blend aids digestion and strengthens immunity.
Carrot, apple, ginger, apple cider vinegar, honey, cinnamon, cayenne and a splash of coconut mylk.

HOT SHOT LATTE

Extreme anti-inflammatory blend to help kick any signs of cold, flu or fatigue.
Turmeric, cayenne, lemon, ginger, honey and a splash of coconut mylk.

WILD CHILD LATTE

Start your day with this drink that alkalizes, resets and wakes the metabolism system up.
Wildflower honey, cayenne, lemon, filtered water and a splash of almond mylk.

MAD MYLK LATTE

Clean protein latte rich in amino acids and omega 3's that satisfies and holds off hunger.
Make it pink! Add Pomegranate or Goji superfood powder \$1

MACACCINO LATTE

Wake up and kick a\$\$ with this superfood, protein blend that keeps you revved up all day.
Cold brew coffee, cacao, dates, banana, maca, vanilla, cinnamon, himalayan salt.

THE DOPENESS LATTE

Grounding and affirming, this blend gives earthy energy and fights inflammation.
Beetroot, pineapple, cucumber, jalapeño, mesquite and maca with almond mylk

TEA LATTES \$9 (12 oz)

Made from a combination of Bellocq loose blends, adaptogenic herbs and spices whipped up to relieve stress and restore balance.

ROSE PETAL LATTE

This is a heart opening tonic that is cozy and comforting.

Earl Grey tea with Rose Petal essence, almond mylk and garnished with dried rose buds.

Make it a Dirty Earl. Add an espresso shot \$1

THE WHITE WOLF LATTE

Made using the Bellocq blend of the same name. Notes of cedar, star anise and mint in this blend evokes western frontier, pine and snow and is served with warmed vanilla almond mylk for an exceptional blend that is warm, yet crisp like a sunny winter morning.

STARDUST LATTE

Made using Bellocq Mulberry leaf tea, elderberry and almond milk, sprinkled with a blend of blue majik powder, turmeric and super fruit berry blend of pomegranate, acai, maqui, and goji. Cosmic mix of ingredients to feed your inner, infinite galaxy.

RESET AND RESTORE LATTE

Made using Montauk Juice Factory Reset blend: Ashwagandha, cinnamon, green tea, cayenne mixed with Ho Show Wu, honey and almond mylk to boost metabolism and help your body keep stress in check.

HEALING LATTES \$9 (12 oz)

Functional superfood lattes to add some warmth and whimsy to your wellness routine. Comforting, ritualistic and loaded with restorative ingredients.

THE UNICORN LATTE

This psychedelic looking drink is wonderful before a deep yoga session, meditation or anytime you want to fly to the next level.

Ginger, lemon, coconut mylk, honey and e3 live blue green algae. Dusted with turmeric and pomegranate powder.

MAGIC MUSHROOM LATTE

A creamy, earthy immunity drink that promotes longevity and a calmer, more elevated overall state of being.

Reishi, shitake, cordyceps and chaga foamed into coconut mylk and maca and lightly sweetened with honey.

ANXIETY-BUSTING HOT COCOA LATTE

A hot cocoa for adults that is like a massage for your brain: these superfoods work to decrease stress, increase bliss and provide immediate relaxation.

Cacao, cinnamon, ghee, nutmeg, cardamom, vanilla, CBD Extract and a touch of maple syrup.

RADIANCE BEAUTY LATTE

Nourishing latte for healthy, supple skin and to promote a celestial glow from within.

Montauk Juice Factory Radiance Dust (ginger, turmeric, camu camu, sea buckthorn, chamomile blossoms) mixed with coconut mylk, collagen and honey.

PURPLE AMETHYST LATTE

Antioxidant bursting, free radical fighting and ultra soothing, this lilac blend may also create overwhelming feelings of positivity and happiness.

Lavender, maqui berry, goji berry, vanilla, lucuma, tocos, almond mylk.

YOUR INTUITION LED YOU HERE...

522 Metropolitan Ave, BK NY 11211 **347-987-3954**

 "Share the coffee, love and magic" tag your photos @thendbrooklyn

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2018)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 87308906

Filing Date: 01/20/2017

NOTE: Data fields with the * are mandatory under TEAS Plus. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
TEAS Plus	YES
MARK INFORMATION	
*MARK	UNICORN LATTE
*STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	UNICORN LATTE
*MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size, or color.
REGISTER	Principal
APPLICANT INFORMATION	
*OWNER OF MARK	Montauk Juice Factory
*STREET	12 South Etna Ave
*CITY	Montauk
*STATE (Required for U.S. applicants)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE (Required for U.S. applicants)	11954
PHONE	800-559-4628
LEGAL ENTITY INFORMATION	
*TYPE	LIMITED LIABILITY COMPANY
*STATE/COUNTRY WHERE LEGALLY ORGANIZED	New York
GOODS AND/OR SERVICES AND BASIS INFORMATION	
*INTERNATIONAL CLASS	032
*IDENTIFICATION	Fruit juice; Fruit juices; Fruit juices and fruit drinks; Herbal juices; Vegetable juice; Vegetable juices; Vegetable-fruit juices
*FILING BASIS	SECTION 1(a)

FIRST USE ANYWHERE DATE	At least as early as 10/01/2016
FIRST USE IN COMMERCE DATE	At least as early as 10/01/2016
SPECIMEN FILE NAME(S)	
ORIGINAL PDF FILE	SPE0-6817593252-20170120162907769885_The_End_Menu.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT17\IMAGEOUT17\873\089\87308906\xml1\FTK0003.JPG
	\\TICRS\EXPORT17\IMAGEOUT17\873\089\87308906\xml1\FTK0004.JPG
SPECIMEN DESCRIPTION	a menu listing the applicant's product on page 2
ADDITIONAL STATEMENTS INFORMATION	
*TRANSLATION (if applicable)	
*TRANSLITERATION (if applicable)	
*CLAIMED PRIOR REGISTRATION (if applicable)	
*CONSENT (NAME/LIKENESS) (if applicable)	
*CONCURRENT USE CLAIM (if applicable)	
ATTORNEY INFORMATION	
NAME	Jason Foscolo
FIRM NAME	Jason Foscolo PLLC
INTERNAL ADDRESS	info@foodlawfirm.com
STREET	PO Box 378
CITY	Red Hook
STATE	New York
COUNTRY	United States
ZIP/POSTAL CODE	12571
PHONE	8005594628
EMAIL ADDRESS	info@foodlawfirm.com
AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
CORRESPONDENCE INFORMATION	
*NAME	Jason Foscolo
FIRM NAME	Jason Foscolo PLLC
INTERNAL ADDRESS	info@foodlawfirm.com
*STREET	PO Box 378
*CITY	Red Hook
*STATE (Required for U.S. addresses)	New York
*COUNTRY	United States
*ZIP/POSTAL CODE	12571
PHONE	8005594628

*EMAIL ADDRESS	info@foodlawfirm.com
*AUTHORIZED TO COMMUNICATE VIA EMAIL	Yes
FEE INFORMATION	
APPLICATION FILING OPTION	TEAS Plus
NUMBER OF CLASSES	1
FEE PER CLASS	225
*TOTAL FEE PAID	225
SIGNATURE INFORMATION	
* SIGNATURE	/Jason Foscolo/
* SIGNATORY'S NAME	Jason Foscolo
* SIGNATORY'S POSITION	Attorney of Record, New York State Bar Member
SIGNATORY'S PHONE NUMBER	631 903 5055
* DATE SIGNED	01/20/2017

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2018)

Trademark/Service Mark Application, Principal Register

TEAS Plus Application

Serial Number: 87308906

Filing Date: 01/20/2017

To the Commissioner for Trademarks:

MARK: UNICORN LATTE (Standard Characters, see [mark](#))

The mark in your application is UNICORN LATTE.

The applicant, Montauk Juice Factory, a limited liability company legally organized under the laws of New York, having an address of
12 South Etna Ave
Montauk, New York 11954
United States
800-559-4628(phone)

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

For specific filing basis information for each item, you must view the display within the Input Table.

International Class 032: Fruit juice; Fruit juices; Fruit juices and fruit drinks; Herbal juices; Vegetable juice; Vegetable juices; Vegetable-fruit juices

Use in Commerce: The applicant is using the mark in commerce on or in connection with the identified goods/services. The applicant attaches, or will later submit, one specimen as a JPG/PDF image file showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, regardless of whether the mark itself is in the standard character format or is a stylized or design mark. The specimen image file may be in color, and the image must be in color if color is being claimed as a feature of the mark.

In International Class 032, the mark was first used by the applicant or the applicant's related company or licensee predecessor in interest at least as early as 10/01/2016, and first used in commerce at least as early as 10/01/2016, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods/services, consisting of a(n) a menu listing the applicant's product on page 2.

Original PDF file:

[SPE0-6817593252-20170120162907769885 . The End Menu.pdf](#)

Converted PDF file(s) (2 pages)

[Specimen File1](#)

[Specimen File2](#)

The applicant's current Attorney Information:

Jason Foscolo of Jason Foscolo PLLC
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PO Box 378
Red Hook, New York 12571
United States
8005594628(phone)
info@foodlawfirm.com (authorized)

The applicant's current Correspondence Information:

Jason Foscolo

Jason Foscolo PLLC
info@foodlawfirm.com
PO Box 378
Red Hook, New York 12571
8005594628(phone)

info@foodlawfirm.com (authorized)

E-mail Authorization: I authorize the USPTO to send e-mail correspondence concerning the application to the applicant or the applicant's attorney, or the applicant's domestic representative at the e-mail address provided in this application. I understand that a valid e-mail address must be maintained and that the applicant or the applicant's attorney must file the relevant subsequent application-related submissions via the Trademark Electronic Application System (TEAS). Failure to do so will result in the loss of TEAS Plus status and a requirement to submit an additional processing fee of \$125 per international class of goods/services.

A fee payment in the amount of \$225 has been submitted with the application, representing payment for 1 class(es).

Declaration

If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
- The mark is in use in commerce on or in connection with the goods/services in the application;
- The specimen(s) shows the mark as used on or in connection with the goods/services in the application; and
- The facts set forth in the application are true.

If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):

- The signatory believes that the applicant is entitled to use the mark in commerce;
- The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application; and
- The facts set forth in the application are true.

To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.

To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Jason Foscolo/ Date: 01/20/2017
Signatory's Name: Jason Foscolo
Signatory's Position: Attorney of Record, New York State Bar Member
Signatory's Phone Number: 631 903 5055
Payment Sale Number: 87308906
Payment Accounting Date: 01/23/2017

Serial Number: 87308906
Internet Transmission Date: Fri Jan 20 17:05:37 EST 2017
TEAS Stamp: USPTO/FTK-XX.XXX.XX.XXX-2017012017053741
5871-87308906-580d9bca5f48b77e2ab3afa262
8d67a72d72f80ae4ab5bbf8499ee0b6f052e38e4
-CC-13892-20170120162907769885

UNICORN LATTE



BROOKLYN

PLANT ALCHEMY BAR

High vibe drinks are what we do. We love coffee but these drinks give you an energizing alternative for when you want a boost of plant power. Using superfoods, herbs, roots and spices from ancient and traditional cultures mixed with non-dairy mylks and cold-pressed juices from Montauk Juice Factory, we created a menu of diverse, clean and plant-based potions to help awaken your senses, elevate your mind and enhance your greatest superpower: your intuition.

JUICE LATTES \$9 (12 oz)

Made using Montauk Juice Factory's best-selling concoctions.

BONFIRE CIDER LATTE

This Ayurvedic influenced blend aids digestion and strengthens immunity.
Carrot, apple, ginger, apple cider vinegar, honey, cinnamon, cayenne and a splash of coconut mylk.

HOT SHOT LATTE

Extreme anti-inflammatory blend to help kick any signs of cold, flu or fatigue.
Turmeric, cayenne, lemon, ginger, honey and a splash of coconut mylk.

WILD CHILD LATTE

Start your day with this drink that alkalizes, resets and wakes the metabolism system up.
Wildflower honey, cayenne, lemon, filtered water and a splash of almond mylk.

MAD MYLK LATTE

Clean protein latte rich in amino acids and omega 3's that satisfies and holds off hunger.
Make it pink! Add Pomegranate or Goji superfood powder \$1

MACACCINO LATTE

Wake up and kick a\$\$ with this superfood, protein blend that keeps you revved up all day.
Cold brew coffee, cacao, dates, banana, maca, vanilla, cinnamon, himalayan salt.

THE DOPENESS LATTE

Grounding and affirming, this blend gives earthy energy and fights inflammation.
Beetroot, pineapple, cucumber, jalapeño, mesquite and maca with almond mylk

TEA LATTES \$9 (12 oz)

Made from a combination of Bellocq loose blends, adaptogenic herbs and spices whipped up to relieve stress and restore balance.

ROSE PETAL LATTE

This is a heart opening tonic that is cozy and comforting.

Earl Grey tea with Rose Petal essence, almond mylk and garnished with dried rose buds.

Make it a Dirty Earl. Add an espresso shot \$1

THE WHITE WOLF LATTE

Made using the Bellocq blend of the same name. Notes of cedar, star anise and mint in this blend evokes western frontier, pine and snow and is served with warmed vanilla almond mylk for an exceptional blend that is warm, yet crisp like a sunny winter morning.

STARDUST LATTE

Made using Bellocq Mulberry leaf tea, elderberry and almond milk, sprinkled with a blend of blue majik powder, turmeric and super fruit berry blend of pomegranate, acai, maqui, and goji. Cosmic mix of ingredients to feed your inner, infinite galaxy.

RESET AND RESTORE LATTE

Made using Montauk Juice Factory Reset blend: Ashwagandha, cinnamon, green tea, cayenne mixed with Ho Show Wu, honey and almond mylk to boost metabolism and help your body keep stress in check.

HEALING LATTES \$9 (12 oz)

Functional superfood lattes to add some warmth and whimsy to your wellness routine. Comforting, ritualistic and loaded with restorative ingredients.

THE UNICORN LATTE

This psychedelic looking drink is wonderful before a deep yoga session, meditation or anytime you want to fly to the next level.

Ginger, lemon, coconut mylk, honey and e3 live blue green algae. Dusted with turmeric and pomegranate powder.

MAGIC MUSHROOM LATTE

A creamy, earthy immunity drink that promotes longevity and a calmer, more elevated overall state of being.

Reishi, shitake, cordyceps and chaga foamed into coconut mylk and maca and lightly sweetened with honey.

ANXIETY-BUSTING HOT COCOA LATTE

A hot cocoa for adults that is like a massage for your brain: these superfoods work to decrease stress, increase bliss and provide immediate relaxation.

Cacao, cinnamon, ghee, nutmeg, cardamom, vanilla, CBD Extract and a touch of maple syrup.

RADIANCE BEAUTY LATTE

Nourishing latte for healthy, supple skin and to promote a celestial glow from within.

Montauk Juice Factory Radiance Dust (ginger, turmeric, camu camu, sea buckthorn, chamomile blossoms) mixed with coconut mylk, collagen and honey.

PURPLE AMETHYST LATTE

Antioxidant bursting, free radical fighting and ultra soothing, this lilac blend may also create overwhelming feelings of positivity and happiness.

Lavender, maqui berry, goji berry, vanilla, lucuma, tocos, almond mylk.

YOUR INTUITION LED YOU HERE...

522 Metropolitan Ave, BK NY 11211 **347-987-3954**

 "Share the coffee, love and magic" tag your photos @thendbrooklyn